

THE HON'BLE SRI JUSTICE M.GANGA RAO

WRIT PETITION No.3750 OF 2006

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking to direct the respondents not to interfere with the peaceful possession of the petitioners in respect of lands in survey Nos.222/1, 222/2, 222/3 admeasuring Acs.11-37 guntas, and lands in survey Nos.223/1, 223/2 and 233/3 admeasuring Acs.7-00 guntas, situated at Ammuguda Village, Malkajgiri Mandal, Ranga Reddy District (for short 'subject lands'), without following due process of law.

2. The case of the petitioners is that they are the tenants of the subject lands having taken the same on a monthly rent of Rs.300/- to Rs.400/- from the owners of the said lands. Petitioners were also paying municipal tax from the year 1997 i.e. from the date of their possession of the subject lands. The owners of the lands have given the subject lands to the tenants for cutting the hill rocks for a period of fifty (50) years. It is alleged that since the value of the subject lands increased day-by-day, the owners of the subject lands in collusion with respondents 1 and 2 herein are trying to evict the petitioners from the subject lands. It is further alleged that on 18.02.2006, the second respondent-Mandal Revenue Officer along with land owners visited the subject lands and tried to dispossess the petitioners high handedly, without following due process of law.

3. The second respondent filed a counter affidavit stating that on verification of the revenue record i.e. pahany for the year

2006-2007 of Ammuguda (V), Malkajgiri (M), it is revealed that the last survey number in Ammuguda (V) is recorded as survey No.16/6 of Malkajgiri. He further denied the contentions of the petitioners that land in survey Nos.222/1, 222/2, 222/3 admeasuring Acs.11-37 guntas, and lands in survey Nos.223/1, 223/2 and 233/3 admeasuring Acs.7-00 guntas, are situated in Ammuguda (V), Malkajgiri (M). Hence, the question of revenue officials colluding with the owners of the subject lands and trying to dispossess the petitioners, does not arise.

4. I have heard the learned counsel for the respondents and perused the counter affidavit filed by the respondents and also the material on record. None appeared for the petitioners.

5. The contentions raised by the petitioners in the affidavit filed in support of the writ petition, are not supported by any documentary evidence and their possession over the subject lands appears to be false. Further more, it is the specific case of the respondents in the counter affidavit that the survey numbers claimed by the petitioners do not exist. Hence, this Court is of the considered view that the writ petition is devoid of merits and deserves to be dismissed.

6. Accordingly, the Writ Petition is dismissed. Miscellaneous petitions pending in this petition, if any, shall stand closed. There shall be no order as to costs.

(M.GANGA RAO, J)

12th December, 2017
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